

5. Sections 13, 16, the portion of section 17 which relates to the five-tenths of one percent limitation, and sections 18 and 24 of this Act take effect July 1, 1983, and apply to calendar year 1984 and subsequent calendar years. Contribution rate table 1, as amended by section 13 of this Act, shall be used to compute the additional contributions of one percent per year, applicable to negative-balance employers for calendar year 1984 and subsequent calendar years, required under section 18 of this Act. If a negative-balance employer received a one-half of one percent surcharge under section 96.7, subsection 3, paragraph d, unnumbered paragraph 7, applicable to calendar years before calendar year 1984, the employer's contribution rate for calendar year 1984 and subsequent calendar years shall be computed using contribution rate table 1, as amended by section 13 of this Act, the cumulative one-half of one percent surcharges and the one percent surcharges applicable to calendar year 1984 and subsequent calendar years under section 18 of this Act.

6. Section 23 of this Act takes effect January 1, 1984.

7. Section 8 of this Act takes effect only for initial unemployment compensation benefit claims effectively filed on or after January 6, 1985.

Approved June 12, 1983

I hereby certify that the foregoing Act, House File 637 was published in the Waterloo Courier, Waterloo, Iowa on June 28, 1983 and in The Sioux City Journal, Sioux City, Iowa on June 28, 1983.

MARY JANE ODELL, *Secretary of State*

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**CHAPTER 191**  
**FINANCIAL MANAGEMENT OF STATE**  
**AND LOCAL PROGRAMS**  
*H.F. 184*

**AN ACT** relating to the financial management of state and local programs by providing for the reduction, transfer, appropriation or reversion of state and local funds; the time when unclaimed deposits and refunds held by utilities are presumed abandoned, crediting the unclaimed deposits and refunds, and when abandoned property must be claimed from the treasurer of state; relating to funds available to area education agencies for special education support services; and relating to the authority of the school budget review committee over positive and negative balances of school district moneys for special education instruction programs.

*Be It Enacted by the General Assembly of the State of Iowa:*

DIVISION 1

Section 1. **REVERSION OF UNENCUMBERED FUNDS IN STATE VEHICLE DISPATCHER'S DEPRECIATION FUND.** Notwithstanding section 18.120, any appropriated moneys which have been credited or accrued to the depreciation fund of the state vehicle

dispatcher by a state department or agency and which are unencumbered balances to the state department or agency through September 30, 1982 shall revert to the general fund of the state.

Sec. 2. **NEW SECTION. 249.14 OLD-AGE ASSISTANCE REVOLVING FUND.** The old-age assistance revolving fund shall remain in the state treasury until all property managed by the department and maintained by the fund is disposed of, at which time all money in the fund shall be transferred to the general fund of the state and the fund shall be closed. If the balance of the fund exceeds fifteen thousand dollars at the end of any calendar quarter, the excess over that amount shall be transferred to the general fund of the state.

Sec. 3. 1973 Iowa Acts, chapter 186, section 27, unnumbered paragraph 2, is amended by striking the unnumbered paragraph.

Sec. 4. 1981 Iowa Acts, chapter 11, section 11, subsection 2 and subsection 3, unnumbered paragraph 1, are amended to read as follows:

2. For capital improvements at the Iowa state penitentiary, including relocating the infirmary and visiting room .....

\$	2,000,000	\$	<del>1,200,000</del>
			<u>990,000</u>

For renovation and construction at the mental health institute at Mount Pleasant and planning for construction at the Iowa security medical facility .....

\$	<del>3,500,000</del>	\$	<del>1,730,000</del>
	<u>3,120,000</u>		<u>130,000</u>

Sec. 5. Five million fifty thousand (5,050,000) dollars of the remaining funds appropriated by 1981 Iowa Acts, chapter 11, section 11, subsection 4, and 1982 Iowa Acts, chapter 1256, section 2, for the fiscal year beginning July 1, 1982, for construction of a new two hundred bed medium security correctional facility at the Iowa security and medical facility at Oakdale, shall revert to the general fund of the state.

Sec. 6. Fifty thousand (50,000) dollars of the remaining funds appropriated by 1981 Iowa Acts, chapter 11, section 11, subsection 1, for the fiscal year beginning July 1, 1981, for capital improvements at institutions under the department of social services, shall revert to the general fund of the state.

Sec. 7. Three hundred and fifty thousand (350,000) dollars of the remaining funds appropriated by 1981 Iowa Acts, chapter 11, section 11, subsection 1, and 1982 Iowa Acts, chapter 1260, section 6, for the fiscal year beginning July 1, 1982, for capital improvements at institutions under the department of social services, shall revert to the general fund of the state.

Sec. 8. 1982 Iowa Acts, chapter 1260, section 7, is amended to read as follows:

SEC. 7. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 11, section 11, is amended by adding the following new subsections:

**NEW SUBSECTION.** For municipal waste treatment facilities at the Glenwood state hospital-school, the Eldora training school, and the Independence mental health institute ....

\$		\$	<del>470,769</del>
			<u>370,769</u>

**NEW SUBSECTION.** For capital improvements at the Iowa state penitentiary .....

\$		\$	<del>500,000</del>
			<u>240,000</u>

The appropriation under this subsection is contingent upon action of the executive council to rescind five hundred thousand (500,000) dollars of the one million one hundred thirty-five thousand (1,135,000) dollars set aside from the general fund by the executive council, pursuant to sections 19.29 and 29C.20, to pay for equipment replacement, repair, rebuilding, rewiring, glass replacement, and overtime at the Iowa state penitentiary due to the inmate disturbance of September 2, 1981.

Sec. 9. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1983-1984 <u>Fiscal Year</u>
1. For capital improvements at institutions under the department of social services .....	\$ 400,000
2. For construction of additional medium security correctional beds at the Iowa security and medical facility at Oakdale and at the mental health institute at Mount Pleasant .....	\$ 6,530,000
3. For capital improvements at the Iowa state penitentiary .....	\$ 970,000
4. For municipal waste treatment facilities at the Glenwood state hospital-school, the Eldora training school, and the Independence mental health institute .....	\$ 100,000

5. Unobligated or unencumbered funds appropriated by this section for the fiscal year beginning July 1, 1983, and ending June 30, 1984, remaining on June 30, 1987, shall revert to the general fund of the state on September 30, 1987. However, if the projects for which these funds are appropriated are completed prior to June 30, 1987, the remaining unobligated or unencumbered funds shall revert to the general fund of the state on September 30 following the end of the fiscal year in which the projects are completed.

Sec. 10.

1. Notwithstanding section 222.92, moneys remaining in the hospital-schools revolving fund on June 30, 1983, shall revert to the general fund of the state on that date.

2. Section 222.92, Code 1983, is repealed.

Sec. 11. There is appropriated from the general fund of the state to the department of social services, for the fiscal year beginning July 1, 1983, and ending June 30, 1984, for capital improvements at the state hospital-schools, the following amount, or so much thereof as is necessary:

1983-1984 <u>Fiscal Year</u>
\$ 3,000,000

Unobligated or unencumbered funds appropriated by this section for the fiscal year beginning July 1, 1983, and ending June 30, 1984, remaining on June 30, 1987, shall revert to the general fund of the state on September 30, 1987. However, if the projects for which these funds are appropriated are completed prior to June 30, 1987, the remaining unobligated or unencumbered funds shall revert to the general fund of the state on September 30 following the end of the fiscal year in which the projects are completed.

DIVISION 2

Sec. 12. Section 556.4, subsections 1 and 2, Code 1983, are amended to read as follows:

1. Any deposit made by a subscriber with a utility to secure payment for, or any sum paid in advance for, utility services to be furnished in this state, less any lawful deductions, that has

remained unclaimed by the person appearing on the records of the utility entitled ~~thereto~~ to the deposit for more than seven two years after the termination of the services for which the deposit or advance payment was made.

2. Any sum which a utility has been ordered to refund and which was received for utility services rendered in this state, together with any interest ~~thereon~~ on the refund, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled ~~thereto~~ to the refund for more than seven two years after the date it became payable in accordance with the final determination or order providing for the refund.

Sec. 13. Section 556.18, subsection 1, Code 1983, is amended to read as follows:

1. All Except as provided in section 14 of this Act, all funds received under this chapter, including the proceeds from the sale of abandoned property under section 556.17, shall forthwith be deposited by the state treasurer of state in the general funds of the state, except that. However, the treasurer shall retain in a separate trust fund an amount not exceeding twenty-five thousand dollars from which he the treasurer shall make prompt payment of claims duly allowed by him as hereinafter provided under section 556.17. Any abandoned money or money received from the sale of abandoned property which totals twenty-five dollars or less becomes the property of the state on the date of receipt or sale as applicable and a claim filed for its recovery under section 556.19 shall not be allowed. Before making the deposit of more than twenty-five dollars, ~~he~~ the treasurer of state shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours.

Sec. 14. Section 556.18, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. After July 1, 1983, the treasurer of state shall credit all funds received under section 556.4, after a proportional amount has been deducted for the trust fund under subsection 1 and any costs have been deducted under subsection 2, to the energy research and development fund created under section 93.14.

Sec. 15. Section 556.20, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. A claim for recovery of abandoned money or money received from the sale of abandoned property under section 556.17 of more than twenty-five dollars shall not be allowed if it is filed after ten years from the date of receipt of the abandoned property by the treasurer of state.

NEW SUBSECTION. Any abandoned property, other than money, which has an appraised value of more than twenty-five dollars but is not sold under section 556.17, shall be kept for ten years from the date of receipt by the treasurer of state. After the expiration of ten years, the treasurer of state may dispose of the abandoned property.

NEW SUBSECTION. Any abandoned property, other than money, which has an appraised value of twenty-five dollars or less and is not sold or offered for sale under section 556.17, may be disposed of by the treasurer of state.

NEW SUBSECTION. After abandoned property has been disposed of as provided in section 556.18 or this section, records relating to the abandoned property may be destroyed by the treasurer of state.

Sec. 16. **ABANDONED PROPERTY RECEIVED BEFORE JULY 1, 1983.\*** Any abandoned property, other than money, received by the treasurer of state under chapter 556 before July 1, 1973, and not sold under section 556.17 may be disposed of as determined by the treasurer of state. Effective July 1, 1983, a claim to recover abandoned property received by the treasurer of state before July 1, 1973 under chapter 556 shall not be allowed. Records

\*According to enrolled Act

relating to the abandoned property received before July 1, 1973 may also be destroyed by the treasurer of state. Abandoned property received by the treasurer of state on or after July 1, 1973, shall be disposed of as provided in section 556.18 or 556.20.

Sec. 17. Section 93.14, Code 1983, is amended to read as follows:

93.14 ENERGY RESEARCH AND DEVELOPMENT FUND. There is created within the council an energy research and development fund. Moneys deposited in the fund shall be used for the research and development of projects designated to improve Iowa's energy situation by developing improved methods of energy conservation, by enabling Iowans to better manage available energy resources, or through the increased development and use of Iowa's renewable or nonrenewable energy resources. Said The moneys credited to the fund under section 556.18 shall be used only for the weatherization or energy assistance program administered by the council. The projects will be selected by the council with the advice of knowledgeable persons appointed by the council to provide assistance.

Sec. 18. PAYMENT OF NEWLY ABANDONED DEPOSITS OR REFUNDS. A utility shall remit all deposits or refunds presumed abandoned as provided in section 12 of this Act to the treasurer of state within thirty days after the effective date of this Act or before June 30, 1983, whichever date is earlier.

#### DIVISION 3

Sec. 19. Notwithstanding chapters 273 and 281 and sections of this chapter relating to the moneys available to area education agencies for special education support services, for the school year beginning July 1, 1982 and ending June 30, 1983, the state comptroller shall deduct from the portions of school district budgets that fund area education agency special education support services the following amounts for the listed areas:

Area 1 .....	\$ 260,311
Area 2 .....	\$ 47,566
Area 3 .....	\$ 94,522
Area 4 .....	\$ 282,467
Area 5 .....	\$ 392,478
Area 6 .....	\$ 221,135
Area 7 .....	\$ 91,261
Area 9 .....	\$ 168,425
Area 10 .....	\$ 109,897
Area 11 .....	\$ 1,385,693
Area 12 .....	\$ 0
Area 13 .....	\$ 200,404
Area 14 .....	\$ 167,312
Area 15 .....	\$ 102,716
Area 16 .....	\$ 30,897

The state comptroller shall determine the amount deducted from the budget of each school district in an area education agency on a proportional basis. The state comptroller shall determine from the amounts deducted from the portions of school district budgets that fund area education agency special education support services the amount that would have been local property tax revenues and the amount that would have been state aid. For the school year beginning July 1, 1983, the state comptroller shall increase the district's total state school aids available under chapter 442 for area education agency special education support services and reduce the district's property tax levy for area education agency special education support services by the amount necessary to compensate for the property tax portion of the deductions made in this section during the school year beginning July 1, 1982.

The amount deducted from a school district's budget shall not affect the calculation of the state cost per pupil or its district cost per pupil for that school year or a subsequent school year.

Sec. 20. Action taken by the state board of public instruction prior to July 1, 1983 under section 442.7, subsection 7, paragraph h, directing the state comptroller to reduce the allowable growth added to district cost per pupil in weighted enrollment for the budget year beginning July 1, 1983 and ending June 30, 1984 for special education support services costs in school districts located in area education agencies one through seven, nine through eleven, and thirteen through sixteen is nullified and the allowable growth is restored.

Sec. 21. Section 442.7, subsection 7, paragraphs g and h, Code 1983, are amended to read as follows:

g. For the school year beginning July 1, 1981 and succeeding school years, the amount included in the district cost per pupil in weighted enrollment for special education support services costs for each district in an area education agency for a budget year is the amount included in the district cost per pupil in weighted enrollment for special education support services costs in the base year plus the allowable growth added to state cost per pupil for special education support services costs for the budget year, except as provided in paragraph h. Funds shall be paid to area education agencies as provided in section 442.25.

h. For the school year beginning July 1, ~~1981~~ 1983 and succeeding school years, the state board of public instruction may direct the state comptroller to increase or reduce the allowable growth added to district cost per pupil in weighted enrollment for a budget year for special education support services costs in an area education agency in the base year based upon special education support services needs in the area. However, an increase in the allowable growth can only be granted by action of the state board to restore a previous reduction or portion of a reduction in allowable growth for that year or the previous year.

Sec. 22. Chapter 442, Code 1983, is amended by adding the following new section as section 442.10:

NEW SECTION. 442.10 SPECIAL EDUCATION SUPPORT SERVICES BALANCES. Notwithstanding chapters 273 and 281 and sections of this chapter relating to the moneys available to area education agencies for special education support services, for the school year commencing July 1, 1983 and succeeding school years, the state board of public instruction may direct the state comptroller to deduct amounts from the portions of school district budgets that fund special education support services in an area education agency. The total amount deducted in an area shall be based upon excess special education support services unreserved and undesignated fund balances in that area education agency for a school year. The state comptroller shall determine the amount deducted from each school district in an area education agency on a proportional basis. The state comptroller shall determine from the amounts deducted from the portions of school district budgets that fund area education agency special education support services the amount that would have been local property taxes and the amount that would have been state aid and for the next following budget year shall increase the district's total state school aids available under this chapter for area education agency special education support services and reduce the district's property tax levy for area education agency special education support services by the amount necessary for the property tax portion of the deductions made under this section during the budget year.

The amount deducted from a school district's budget shall not affect the calculation of the state cost per pupil or its district cost per pupil in that school year or a subsequent year.

Sec. 23. Section 442.9, subsection 1, paragraph a, Code 1983, is amended to read as follows:

a. As used in this chapter, "district cost per pupil" for the school year beginning July 1, 1975, and subsequent school years means district cost per pupil in weighted enrollment. The

district cost per pupil for the budget year is equal to the district cost per pupil for the base year plus the allowable growth. However, district cost per pupil does not include additional allowable growth added for programs for gifted and talented children under this chapter or for school districts that have a negative balance of funds raised for special education instruction programs under section 442.13, subsection 14, paragraph b, and does not include additional allowable growth established by the school budget review committee for a single school year only.

Sec. 24. Section 442.13, subsection 5, paragraph p, Code 1983, is amended by striking the paragraph.

Sec. 25. Section 442.13, subsection 14, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

14. For the budget school year beginning July 1, 1982 and succeeding school years, as soon as possible following June 30 of the base year, the school budget review committee shall determine for each school district the balance of funds, whether positive or negative, raised for special education instruction programs under the special education weighting plan established in section 281.9. The committee shall certify the balance of funds for each school district to the state comptroller.

a. If the amount certified for a school district to the state comptroller under this subsection for the base year is positive, the state comptroller shall subtract the amount of the positive balance from the amount of state aid remaining to be paid to the district during the budget year. If the positive amount exceeds the amount of state aid that remains to be paid to the district, the school district shall pay the remainder on a quarterly basis prior to June 30 of the budget year to the state comptroller from other funds received by the district. The state comptroller shall determine the amount of the positive balance that would have been local property tax revenues and shall increase the district's total state school aids available under this chapter for the next following budget year by the amount so determined and shall reduce the district's tax levy computed under section 442.9 for the next following budget year by the amount necessary to compensate for the increased state aid.

b. If the amount certified for a school district to the state comptroller under this subsection for the base year is negative, the state comptroller shall determine the amount of the deficit that would have been state aid and the amount that would have been property taxes for each eligible school district.

For the budget school year beginning July 1, 1982 and each subsequent school year, there is appropriated from the general fund of the state to the school budget review committee an amount equal to the state aid portion of five percent of the receipts for special education instruction programs in each district that has a positive balance determined under paragraph a for the base year, or the state aid portion of the positive balance determined under paragraph a for the base year, whichever is less, totaled on a statewide basis, to be used for supplemental aid payments to school districts. Except as otherwise provided in this paragraph, supplemental aid paid to a district is equal to the state aid portion of the district's deficit balance. The school budget review committee shall direct the state comptroller to make the payments to school districts under this paragraph.

A school district is eligible to receive supplemental aid payments during the budget year if the school district certifies to the school budget review committee that for the year following the budget year it will request the school budget review committee to instruct the state comptroller to increase the district's allowable growth and will fund the allowable growth increase either by using moneys from its unexpended cash balance to reduce the district's property tax levy or by using cash reserve moneys to equal the amount of the deficit that would have been property taxes and any part of the state aid portion of the deficit not received as supplemental aid. The state comptroller shall make the necessary adjustments to the school district's

budget to provide the additional allowable growth and shall make the supplemental aid payments.

If the amount appropriated under this paragraph is insufficient to make the supplemental aid payments, the state comptroller shall prorate the payments on the basis of the amount appropriated.

Sec. 26. This Act takes effect upon its publication. However, section 10, subsection 2 of division 1 of this Act takes effect July 1, 1983.

Sec. 27. This Act, being deemed of immediate importance, takes effect from and after its publication in the Telegraph Herald, a newspaper published in Dubuque, Iowa, and in the Quad City Times, a newspaper published in Davenport, Iowa.

Approved April 11, 1983

I hereby certify that the foregoing Act, House File 184 was published in the Telegraph Herald, Dubuque, Iowa on April 13, 1983 and in the Quad City Times, Davenport, Iowa on April 13, 1983.

MARY JANE ODELL, *Secretary of State*

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**CHAPTER 192**  
ADJUSTMENTS TO  
DEPARTMENT OF SOCIAL SERVICES FUNDS  
*S.F. 546*

**AN ACT** relating to adjustments to appropriations to the department of social services for the state fiscal year beginning July 1, 1982 and ending June 30, 1983 and the federal fiscal year beginning October 1, 1982 and ending September 30, 1983.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services for aid to families with dependent children two million nine hundred ninety-eight thousand (2,998,000) dollars, or so much thereof as is necessary, to be used for the same purposes and to supplement funds appropriated by 1981 Iowa Acts, chapter 7, section 3, subsection 1, as amended by 1982 Iowa Acts, chapter 1260, section 90.

Sec. 2. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services for medical assistance five million four hundred twenty thousand (5,420,000) dollars, or so much thereof as is necessary, to be used for the same purposes and to supplement funds appropriated by 1981 Iowa Acts, chapter 7, section 3, subsection 2, as amended by 1982 Iowa Acts, chapter 1260, sections 94 and 95.

Sec. 3. The appropriation from the general fund of the state for the fiscal year beginning July 1, 1982, and ending June 30, 1983, to the department of social services for contractual